

# Notice of Allowability

Application No.

09/915,367

Examiner

Toan N. Pham

Applicant(s)

TROSPER, SCOTT T.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment after notice of allowance filed on July 9, 2004.
2. ☒ The allowed claim(s) is/are 1-3,5-23,25-44,46-53,55-61 and 63-68.
3. ☒ The drawings filed on 27 July 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

- |                                                                                                                     |                                                                                       |
|---------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)                                                    | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|                                                                                                                     | 9. <input type="checkbox"/> Other _____                                               |

***Allowable Subject Matter***

Claims 1-3, 5-23, 25-44, 46-53, 55-61, and 63-68 are allowed.

The following is an examiner's statement of reasons for allowance: The present invention is directed to a radio frequency identification device including communication circuitry with indication circuitry to indicate presence of the remote communication device responsive to the control signal. Each independent claim identifies the uniquely distinct features:

Regarding claim 1: Indication circuitry coupled with the communication circuitry and configured to receive the control signal and to indicate presence at the radio frequency identification device responsive to the control signal; and wherein the communication circuitry is configured to output another wireless signal including backscattering electromagnetic energy received by the radio frequency identification device.

Regarding claim 5: Communication circuitry configured to receive a wireless signal including an identifier and data to process the identifier and to write the data to a data port responsive to the processing of the identifier, and indication circuitry configured to receive the data and to indicate presence of the remote communication device responsive to the data.

Regarding claim 11: Communication circuitry supported by the housing and including a data port, the communication circuitry being configured to receive a wireless signal including an identifier and data, to process the identifier, and to write the data to the data port responsive to the processing of the identifier; and, indication circuitry

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including a latch coupled with the data port and configured to receive data, and an indicator configured to output a signal to indicate presence of the remote communication device responsive to the data received within the latch.

Regarding claim 16: Indication circuitry coupled with the communication circuitry and configured to receive the control signal and to output a human perceptible signal to indicate presence of the radio frequency identification device responsive to the control signal; wherein the communication circuitry is configured to output another wireless signal comprising an identifier of the radio frequency identification device.

Regarding claim 21: An interrogator configured to output a wireless signal to identify at least one of a plurality of radio frequency identification devices; plural radio frequency identification devices individually configured to receive the wireless signal and individually comprising radio frequency identification device communication circuitry configured to control emission of a human perceptible signal to indicate presence of the respective radio frequency identification device within a communications range of the interrogator and to backscatter electromagnetic energy to output another wireless signal responsive to the received wireless signal; and wherein only the at least one radio frequency identification device identified by the wireless signal is configured to output the human perceptible signal responsive to receiving the wireless signal.

Regarding claim 25: Communication circuitry configured to selectively write data from a wireless signal to a data port responsive to processing an identifier and indication circuitry configured to receive the data and to indicate presence of the respective remote communication device responsive to the data.

Regarding claim 30: Communication circuitry with the substrate and including a data port, the communication circuitry being configured to receive the wireless signal, to process the identifier, to selectively process the command responsive to the processing of the identifier, and to selectively write the data to the data port responsive to the processing of the command; indication circuitry coupled with the data port and configured to receive the data and to output a human visual signal to indicate presence of the radio frequency identification device responsive to the data.

Regarding claim 31: Receiving a wireless signal including an identifier within the radio frequency identification device; processing the identifier; generating a control signal after the processing; indicating presence of the radio frequency identification device using indication circuitry of the radio frequency identification device responsive to the control signal and outputting another wireless signal comprising backscattering electromagnetic energy using the radio frequency identification device responsive to the processing.

Regarding claim 36: A wireless signal including data within the remote communication device, selectively outputting the data to indication circuitry of the remote communication device after the processing, and emitting a human perceptible signal using the indication circuitry after outputting the data.

Regarding claim 40: Indicating presence of the at least one selected object using the indication circuitry of the remote communication device associated with the at least one selected object; and outputting another wireless signal responsive to the receiving

using the remote communication device associated with the at least one selected object.

Regarding claim 46: Emitting a human perceptible signal after the receiving using the indication circuitry of the at least one identified radio frequency identification device; and emitting another wireless signal using radio frequency identification device communication circuitry of the at least one identified radio frequency identification device, wherein the another wireless signal identifies the at least one identified radio frequency identification device.

Regarding claim 64: Extracting data from a received wireless signal and indicating presence responsive to the extracting.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan N. Pham whose telephone number is (571) 272-2967. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

April 27, 2005

**TOAN N. PHAM**  
**PRIMARY EXAMINER**

A handwritten signature in black ink, appearing to read 'Toan Pham', written over a horizontal line.